

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director/ (954) 797-1101
Prepared by: David M. Abramson, Planner I

SUBJECT: TU 4-5-04, Davie Merchants Industrial Association Inc. (DMIA), 7110-7160 Stirling Road, Davie, FL 33314

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM: Temporary Use Permit for Outdoor Firework Sale (Seasonal Sales)

REPORT IN BRIEF: The applicant is requesting approval of a Temporary Use Permit for activities associated with selling of fireworks under a tent for the 4th of July Holiday. The Town of Davie Land Development Code Section 17-8, Seasonal sales, defines the permitted time frame and the necessary facilities that need to be provided on site. The tent is located near the intersection of southwest corner of Davie Road and Stirling Road. Access onto and from the site is via Davie Road Extension and Stirling Road with parking in front of existing retail shops. For safety precautions, automobile traffic on site will be separated with barricades along the western and southern portions of the tent. In addition, the tent will also maintain building setbacks, have fire extinguishers, exit signs, and no smoking signs. The petitioner has obtained an approval in writing from the owner of the property to use the retail shop parking lot. A satisfactory site plan accurately depicting all details of the request has been reviewed by the Development Services Department and is attached.

DURATION OF EVENT: The duration and hours of the request is June 20, 2004 thru July 5, 2004 from 9:00 a.m. to 9:00 p.m.

Section 12-319 of the Land Development Code requires that three (3) criteria be met for temporary use permits:

- (1) Any nuisance or hazardous features involved is suitably separated from adjacent uses;
- (2) Excessive Vehicular traffic will not be generated on minor residential streets; and,
- (3) A vehicular parking problem will not be created.

Staff finds that Davie Merchants Industrial Association Inc. "Outdoor Firework Sale" will be suitably separated from adjacent uses, there will be no excessive traffic generated on minor residential streets, and a vehicle-parking problem is not anticipated. In addition the following conditions apply:

- (1) **Any temporary use authorized by Town Council shall be approved and accepted as to all terms and conditions by the applicant in writing within ten (10) days of the date such temporary use is authorized.** The applicant shall file such authorization with the Development Services Department.
- (2) A building permit must be secured prior to the event.
- (3) All concerns and comments as identified by reviewing agencies on the building permit must be addressed prior to the issuance of a Building permit.
- (4) Provide proper traffic control devices, such as barricades or cones, around the tents.
- (5) The permit shall be valid only for the time specific from June 20, 2004 thru July 5, 2004 from 9:00 a.m. to 9:00 p.m.

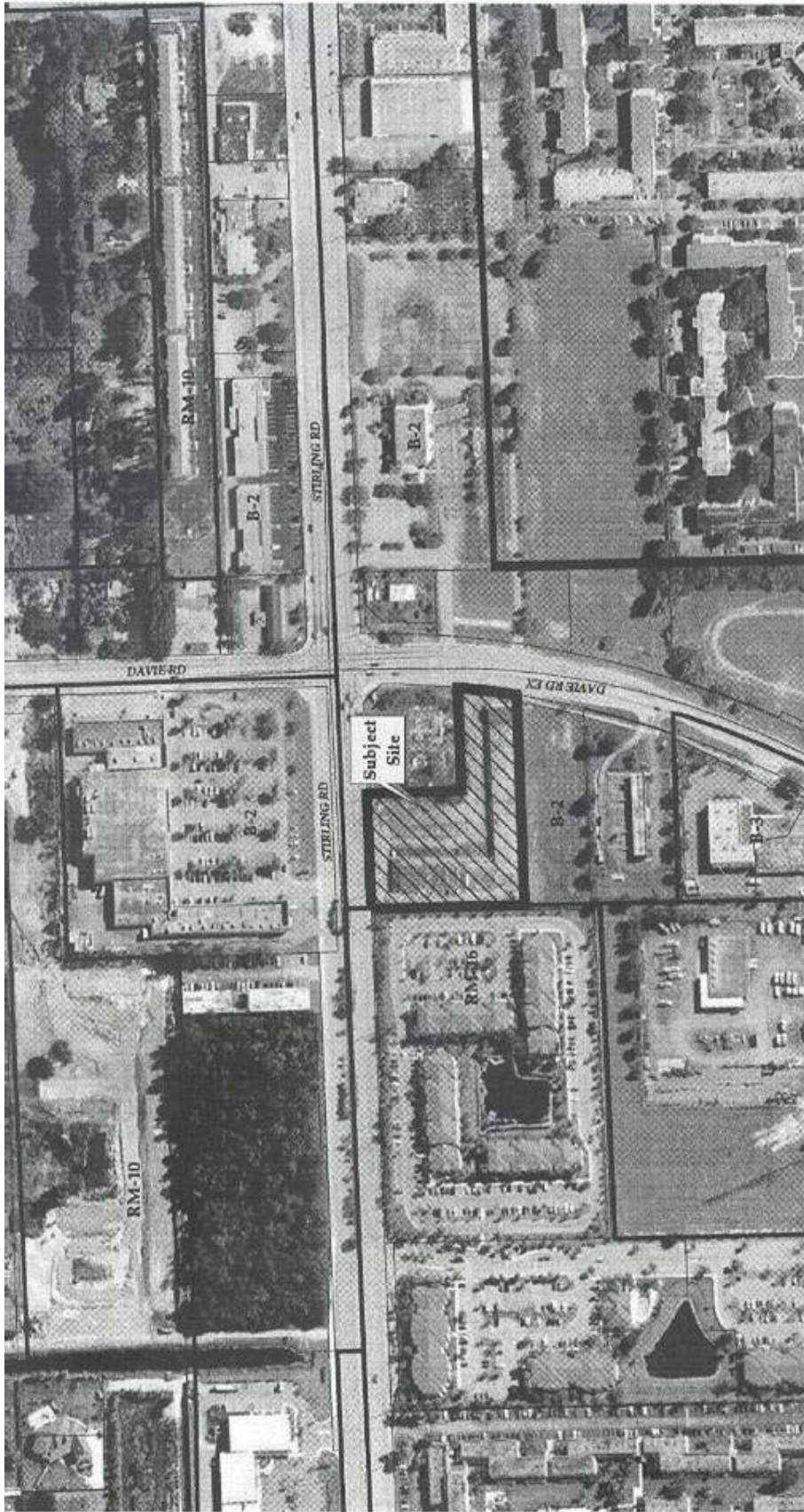
PREVIOUS ACTIONS: None

CONCURRENCES: The Development Review Committee has reviewed the application and has no objections to the request.

FISCAL IMPACT: None

RECOMMENDATION(S): The application is found sufficient, based upon the above, to enable Town Council to render a decision.

Attachment(s): Subject site map, Site plan.
"Attachment 1"

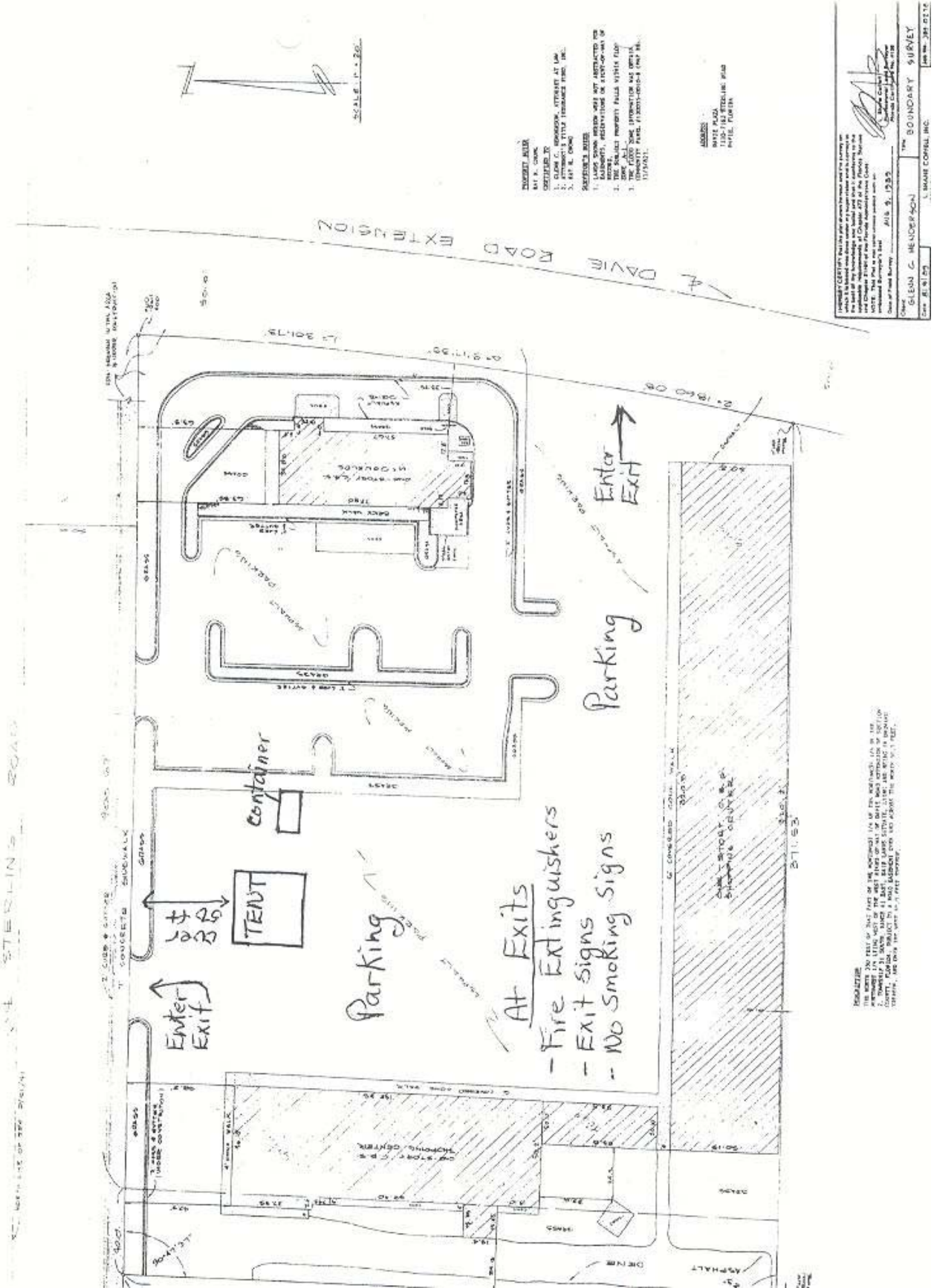


The Town of Davie
Development Service Department
Planning & Zoning Division



Temporary Use Application
TU 4-5-04, Davie Merchants Assoc. Inc.
Subject Site, Zoning and Aerial Map

Prepared By: D.M.A.
Date Prepared: 5/12/04



NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.
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DAVID ROAD
DAVID ROAD
DAVID ROAD

BOUNDARY SURVEY

DATE: 10/10/10

BY: GLENN C. HENNINGSON

FOR: [Signature]

PROJECT: [Signature]

SCALE: 1" = 20'

DATE: 10/10/10

BY: GLENN C. HENNINGSON

FOR: [Signature]

PROJECT: [Signature]

SCALE: 1" = 20'

DATE: 10/10/10

BY: GLENN C. HENNINGSON

FOR: [Signature]

PROJECT: [Signature]

SCALE: 1" = 20'